



STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION

Chris Christie
Governor
Kim Guadagno
Lt. Governor

Robert M. Czech
Chair/Chief Executive Officer

**AGENDA OF REGULAR MEETING OF
THE CIVIL SERVICE COMMISSION
DECEMBER 21, 2011**

Robert M. Czech, Chairperson
Robert E. Brenner
Thomas J. Perna
Richard E. Williams

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

In the Matter of Thomas Cervini
City of Vineland
Department of Public Safety
Removal

In the Matter of Shakiea Edwards
Passaic County Preakness Hospital
Suspension

In the Matter of Annette Heim
City of Perth Amboy
Finance Department
Removal

In the Matter of Halina Mroz
Hudson County
Sheriff's Department
Suspension

In the Matter of Jennifer L. Pohl
Monmouth County
Department of Human Services
Removal

In the Matter of Matthew Ruane
City of Newark
Police Department
Suspension

In the Matter of Shirley Savage
Ancora Psychiatric Hospital
Department of Human Services
Resignation not in good standing

**RECOMMENDATION OF THE ADMINISTRATIVE LAW JUDGE IN
THE ABOVE CASES – SETTLEMENT**

ACTION:

A-2 CLIFFORD LEWIS

Clifford Lewis, Institutional Trade Instructor 1 (Warehousing), South Woods State Prison, Department of Corrections, 10 working day suspension on charges of insubordination and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the 10 working day suspension.

ACTION:

A-3 JOSE TORRES

Jose Torres, Senior Correction Officer, Northern State Prison, Department of Corrections, 60 working day suspension on charges of conduct unbecoming a public employee, other sufficient cause, falsification and violation of a rule, regulation, policy, procedure, order or administrative decision.

Recommendation of the Administrative Law Judge – Modify the 60 working day suspension to a 50 working day suspension.

ACTION:

A-4 FREDDIE FRAZIER

Freddie Frazier, Senior Correction Officer, Northern State Prison, Department of Corrections, removal on charges of inability to perform duties, conduct unbecoming a public employee, other sufficient cause and prohibition by law from possessing or using a firearm.

Recommendation of the Administrative Law Judge – Grant the appointing authority's motion for summary decision and uphold the removal.

ACTION:

A-5 ROBERT JORDAN

Robert Jordan, Correction Sergeant, East Jersey State, Department of Corrections, removal effective May 7, 2011, on charges of conduct unbecoming a public employee, and use, possession or sale of any controlled dangerous substance.

Recommendation of the Administrative Law Judge – Dismiss the appeal as moot.

ACTION:

A-6 CAROLINE MONTEITH

Caroline Monteith, Human Services Assistant, Woodbridge Developmental Center, Department of Human Services, removal effective September 25, 2009, on charges of neglect of duty and violation of a policy and/or procedure.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

A-7 MARK SALAMANDRA

Mark Salamandra, Assistant District Parole Supervisor, State Parole Board, Department of Corrections, removal effective October 5, 2010, on charges of conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

A-8 JOSE VALENTINE

Jose Valentine, Senior Correction Officer, Adult Diagnostic and Treatment Center, Department of Corrections, removal effective March 9, 2011, on charges of other sufficient cause, conduct unbecoming a public employee, and violation of a rule, regulation, policy, order or administrative decision.

Recommendation of the Administrative Law Judge – Modify the removal to a six-month suspension.

ACTION:

A-9 RAHAMAN IDLETT SETTLEMENT (CONSOLIDATION)

Rahman Idlett, Communications Operator Secured Facilities, East Jersey State Prison, Department of Corrections, three 15 working day suspensions, three removals effective October 20, 2010, October 29, 2010, and October 29, 2010, on charges of chronic or excessive absenteeism or lateness, unexcused lateness of 15 minutes or more, unsatisfactory attendance, and failure to follow call-off or call-on procedure and 30 working day suspension on charges of neglect of duty and sleeping on duty.

Recommendation of the Administrative Law Judge – Acknowledge the settlement.

ACTION:

A-10 DANIEL ROLDAN

Daniel Roldan, Human Services Specialist 1, Mercer County Board of Social Services, release at the end of the working test period effective June 12, 2007.

Recommendation of the Administrative Law Judge – Grant a new working test period.

ACTION:

SECTION B – MISCELLANEOUS MATTERS**B-1 ALFRED BODDEN**

Alfred Bodden, a Cottage Training Technician with the Division of Developmental Disabilities, Department of Human Services, represented by Walter F. Gavigan, Esq., appeals the denial of sick leave injury (SLI) benefits.

ACTION:

B-2 KATHERINE CASH

Katherine Cash, a Teacher 3 (12 Months) with the Department of Children and Families, appeals the denial of sick leave injury (SLI) benefits.

ACTION:

B-3 ANTONIO COTTO

Antonio Cotto, a Senior Correction Officer with Northern State Prison, Department of Corrections, represented by Daniel Geddes, Esq., appeals the denial of sick leave injury (SLI) benefits.

ACTION:

B-4 RONALD COLEMAN, ET AL.

Ronald Coleman, Police Officer, William Frett, Police Sergeant, and David Weitzel, Jr., Police Sergeant, with the City of Camden's Police Department, represented by Cheryl L. Cooper, Esq., appeal the determinations of their layoff rights by the Division of State and Local Operations.

ACTION:

B-5 SUSO DAVILA, ET AL.

Suso Davila, Police Sergeant, Javon Kyzer, Police Sergeant, Joseph D. Rivera, Police Officer, and Kevin Smith, Police Sergeant, represented by Cheryl L. Cooper, Esq., with the City of Camden's Police Department, appeal the determinations of their layoff rights by the Division of State and Local Operations.

ACTION:

B-6 WILLIAM E. LUTZ

William E. Lutz, a Senior Administrative Analyst with the Clerk's Office, City of Camden, appeals the determination of his layoff rights by the Division of State and Local Operations.

ACTION:

B-7 CHARLES E. LYONS, JR.

Charles E. Lyons, Jr., a Chief, Planning and Project Execution, with the Department of Development and Planning, City of Camden, represented by Jacqueline M. Vigilante, Esq., appeals the determination of his layoff rights by the Division of State and Local Operations.

ACTION:

B-8 DAVID COLEMAN

David W. Coleman, a veteran, appeals the removal of his name from the Police Officer (S9999K), City of Hackensack, eligible list due to his failure to respond to the Notice of Certification.

ACTION:

B-9 JAMES KEEFE

James Keefe appeals the determination of the Division of Selection Services which denied his admittance to the promotional examination for Fire Lieutenant (PM5189N), New Brunswick.

ACTION:

B-10 GREGORY WACHTEL

Gregory Wachtel appeals the decision of the Division of State and Local Operations which upheld the removal of his name from the County Correction Officer (S9999K), Morris County, eligible list due to his unsatisfactory criminal record.

ACTION:

B-11 JOHN FRANSCKIEWICH

John Fransckiewich, a Senior Correction Officer at the Garden State Youth Correctional Facility, Department of Corrections, represented by Daniel Geddes, Esq., requests a waiver of repayment of a salary overpayment pursuant to *N.J.S.A. 11A:3-7*, which provides that when an employee has erroneously received a salary overpayment, the Civil Service Commission may waive repayment based on a review of the case.

ACTION:

B-12 JANINE JAKUBAS AND TIMOTHY FOX

Janine Jakubas and Timothy Fox, both Sergeants, Campus Police with Montclair State University, requests a waiver of repayment of a salary overpayment pursuant to *N.J.S.A. 11A:3-7*, which provides that when an employee has erroneously received a salary overpayment, the Civil Service Commission may waive repayment based on a review of the case.

ACTION:

B-13 ASSISTANT PAYROLL SUPERVISOR (M1299L), HOBOKEN

Hoboken requests permission not to make an appointment from the March 7, 2011 certification for Assistant Payroll Supervisor (M1299L).

ACTION:

B-14 DIRECTOR OF FINANCE (M0607L) HOBOKEN

Hoboken requests permission not to make an appointment from the November 4, 2009 certification for Director of Finance (M0607L).

ACTION:

B-15 EXECUTIVE ASSISTANT (M0234M), NEWARK

Newark requests permission not to make an appointment from the April 4, 2011 certification for Executive Assistant (M0234M), Newark.

ACTION:

B-16 HEAVY EQUIPMENT OPERATOR (PC0940M), CUMBERLAND COUNTY

Cumberland County requests permission not to make an appointment from the April 26, 2011 certification for Heavy Equipment Operator (PC0940M).

ACTION:

B-17 INVESTIGATOR 1, NEW JERSEY MOTOR VEHICLE COMMISSION

The New Jersey Motor Vehicle Commission requests the reallocation of the Investigator 1, New Jersey Motor Vehicle Commission title to the noncompetitive division of the career service on an interim basis.

ACTION:**B-18 LIBRARIAN (M0462K) MILLBURN PUBLIC LIBRARY**

The matter of whether Millburn Public Library should be granted permission not to make an appointment from the August 17, 2009 certification for Librarian (M0462K) has been referred to the Civil Service Commission for review.

ACTION:**B-19 LOAN ADVISOR (C0378M) ESSEX COUNTY**

The matter of whether Essex County should be granted permission not to make an appointment from the December 6, 2010 certification for Loan Advisor (C0378M) has been referred to the Civil Service Commission for review.

ACTION:**B-20 ANDURAY HIGGINS**

The Ocean County Board of Social Services appeals the June 24, 2011 decision of the Division of State and Local Operations which found that Anduray Higgins's position is properly classified as a Clerk 2.

ACTION:**B-21 BETH LARKIN**

Beth Larkin, a Supervisor, Records Management, with the Division of State Police, petitions for reconsideration of the final decision rendered on June 1, 2011, which granted, in part, a request for a waiver of repayment of a salary overpayment.

ACTION:

B-22 WILLIE JETTI

Willie Jetti, a former County Correction Officer with Essex County, represented by Darryl M. Saunders, Esq., requests reconsideration of that portion of the Civil Service Commission decision, rendered on June 1, 2011, acknowledging the settlement agreement between the appellant and Essex County.

ACTION:

B-23 MOTOR VEHICLE OPERATOR, ELDERLY & HANDICAPPED PERSONS (C6990H) AND (C0786K), CAPE MAY COUNTY

Cape May County, represented by Barbara Bakley-Marino, County Counsel, requests reconsideration of the decision rendered on May 18, 2011 by the Civil Service Commission in *In the Matter of Motor Vehicle Operator, Elderly & Handicapped Persons (C6990H) and (C0786K), Cape May County*, which ordered it to properly dispose of the January 30, 2009 certification within 20 days and remit \$500 in compliance costs.

ACTION:

B-24 JOSEPH NELSON

Joseph Nelson petitions the Civil Service Commission for reconsideration of its final decision, rendered on May 18, 2011, which upheld the removal of his name from the Conservation Officer 3 (S2050K), Department of Environmental Protection, eligible list.

ACTION:

B-25 JERMANE CARTER

The appeal of Jermane Carter, a County Correction Officer with Burlington County, of his 120 working day suspension, on charges, was heard by Administrative Law Judge Ronald W. Reba (ALJ), who rendered his initial decision on October 28, 2011. At its meeting on December 7, 2011, the Civil Service Commission did not adopt the ALJ's recommendation to reverse the 120 working day suspension. Rather, the Commission upheld the 120 working day suspension. The proposed final decision is now submitted for the Commission's review.

ACTION:

B-26 DEBRA ARMITAGE

Debra Armitage appeals the decision of the Division of State and Local Operations which found that her position with the Department of Environmental Protection is properly classified as Executive Assistant 4. The appellant seeks a Management and Operations Analyst 1 classification.

ACTION:

B-27 NATALIE ASHWOOD

Natalie Ashwood appeals the decision of the Division of State and Local Operations which found that her position with the Department of Environmental Protection is properly classified as Secretarial Assistant 2, Non-Stenographic. The appellant seeks a Secretarial Assistant 1, Non-Stenographic classification.

ACTION:

B-28 DAMIAM FANTINI

Damiam Fantini appeals the August 21, 2011 decision of the Division of State and Local Operations which found that his position with the Department of the Treasury is properly classified as Procurement Specialist 1. The appellant seeks an Administrative Analyst 1, Procurement classification.

ACTION:

B-29 SHARON HACKWORTH

Sharon Hackworth, represented by Robert O. Yaeger, Principal Staff Representative, CWA Local 1040, appeals the determination of the Division of State and Local Operations that her position with the Department of Human Services is properly classified as an Audit Account Clerk (Typing). The appellant seeks a Principal Audit Account Clerk or Head Audit Account Clerk classification.

ACTION:

B-30 SHARON HACKWORTH

Sharon Hackworth, an Audit Account Clerk (Typing) at Hagedorn Psychiatric Hospital, Department of Human Services, represented by Robert O. Yaeger, Principal Staff Representative, CWA Local 1040, appeals the determination of the Assistant Commissioner of the DHS, stating that the appellant had failed to present sufficient evidence to support a finding that she had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

ACTION:

B-31 SANDRA POWELL

Sandra Powell, a Senior Medical Security Officer with the Ann Klein Forensic Center, Department of Human Services, represented by Richard S. Swartz, Esq., appeals the decision of the Assistant Commissioner, which found that the appellant failed to establish that she had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

ACTION:

B-32 BARBARA J. BELLOFF AND LOUIS A. DIGRIGORIO

Barbara J. Belloff and Louis A. DiGrigorio appeal the determinations of the Division of Selection Services which found that they did not meet the requirements for the promotional examination for Child Support and Paternity Specialist 1 (PS9541K), Department of Human Services.

ACTION:

B-33 NATHAN COLANERI

Nathan Colaneri appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for the promotional examination for Crew Supervisor Building Maintenance Programs (PS3482J), The Richard Stockton College of New Jersey.

ACTION:

B-34 AMY CONRY

Amy Conry appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, she was below the minimum requirements in experience for the promotional examination for Administrative Assistant 3 (PC0395N), Sussex County.

ACTION:

B-35 SHARON FELTON

Sharon Felton appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in experience for the promotional examination for Investigator 2 (PS2587I), Department of Corrections.

ACTION:

B-36 MORRIS E. GOULD

Morris E. Gould appeals the determination of the Division of Selection Services which found that he did not meet the requirements for the promotional examination for Landscape Technician (PS0865T), Department of Transportation.

ACTION:

B-37 NEREIDA GUZMAN

Nereida Guzman appeals the determination of the Division of Selection Services that she did not meet the experience requirements for the promotional examination for Claims Examiner, Workers Compensation, Typing (PM0324N), City of Camden.

ACTION:

B-38 MICHELLE HANEY

Michelle Haney appeals the determination of the Division of Selection Services which found that she was below the minimum requirements for the open competitive examination for Site Manager Nutrition Program (C2047N), Burlington County.

ACTION:

B-39 SUSAN MALVONE

Susan Malvone appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in education for the open competitive examination for Teacher Juvenile Facilities (C0167N), Middlesex County.

ACTION:

B-40 SCOTT NIELSEN

Scott Nielsen appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, he was below the minimum requirements in experience for the promotional examination for Training Coordinator (PC0298N), Monmouth County.

ACTION:

B-41 KENIA NUNEZ

Kenia Nunez appeals the determination of the Division of Selection Services which found that she did not meet the requirements for the open-competitive examination for Assistant Municipal Treasurer (M2177N), Pleasantville.

ACTION:

B-42 FRANK J. PILITOWSKI, JR.

Frank J. Pilitowski, Jr., appeals the determination of the Division of Selection Services which found that he did not meet the requirements for the promotional examination for Landscape Technician (PS2438J), Rowan University.

ACTION:

B-43 CHRISTOPHER BOTTA

Christopher Botta appeals his score for the oral portion of the examination for the second level Fire Captain (PM5076M), Clifton.

ACTION:

B-44 JOHN BREYTA

John Breyta appeals his score for the oral portion of the examination for the second level Fire Captain (PM5068M), Perth Amboy.

ACTION:

B-45 CHRIS HORNIG

Chris Hornig, represented by Michael Prigoff, Esq., appeals his score for the oral portion of the examination for the second level Fire Captain (PM5064M), Margate.

ACTION:

B-46 ELIZABETH J. LIPARI-WALSH

Elizabeth J. Lipari-Walsh appeals the administration and scoring of the promotional examination for Tax Services Specialist 1 (PS3102U), Department of the Treasury.

ACTION:

B-47 JOSEPH MASCHKE

Joseph Maschke appeals his score for the oral portion of the examination for the second level Fire Captain (PM5077M), Mount Laurel.

ACTION:

B-48 RAMZE RAMADAN

Ramze Ramadan appeals his score for the oral portion of the examination for the second level Fire Captain (PM5067M), Passaic.

ACTION:

B-49 FRANCISCO SALTAR

Francisco Saltar appeals his score for the oral portion of the examination for the second level Fire Captain (PM5072M), Vineland.

ACTION: